



Dear Honorable O'Conner,

**4 - 21 CV-1236 - 0**

My name is Jan Micheal Caballero-Fernandez, I am an active duty sailor in the Navy. I am seeking release from the military vaccine mandate class action injunction so may be seperated from the Navy. I have been informed that the only way from me to continue the seperation process is to be released by name from the class action injunction.

I began the separation process back in January 2022 however due to the injunction that recently occured the Navy has release their latest instruction, NAVADMIN 102/22. With this being the case I was forced to stop the seperation process after I had already been cleared for separation. I was awaiting the appointment to meet with the JAG to sign my DD-214 form when I was told I was no longer allowed to continue with the process. My wife ( who is pregnant and due in August) and I had already began making preparations. We had begun to put our house up for sale and moved a good amount of our belongings back to Miami, FL, including all of the things we had bought for our upcoming baby. My wife is already back to living in Florida with her parents since we expected to be back there before her due date. I was supposed to have finished everything up in Connecticut, which is where I am currently stationed, and gone down to Florida with her since our families live there. However, due to unforeseen circumstances this is not the case and no new information has been given to us. I have exhausted all my available resources (i.e Command Career Counselor, Defense Service office North BROFF Groton, First Liberty Institute, Chain of Command) and have not received a satisfactory answer other than "I don't know" or "just wait for further guidance" further delaying the separation process.

- i. I requested to rescind my Religious Accomodation which finally came back in May 2022 as denied. This is due to the fact that I had originally routed the request in September 2021 and was only informed in March 2022 that it had been lost twice and sent again for the third on February 2022. After hearing of this and having already been cleared to separate and moving all my belongings I made my intentions known to separate and rescinded the Religious Accomodation in March 2022 and again in April 2022 (I have copies of all forms I submitted should you wish for a copy of all of the separation forms and NAVADMIN forms I signed and routed).
- ii. I was on temporary orders to SRS-32 awaiting the separation when NAVADMIN 102/22 was released and was ordered back to the USS San Juan along with my shipmate while everyone who was also in SRS-32 were allowed to stay and pursue their options to expedite the separation process. Out of around 20 unvaccinated person only PO Carrick and I were ordered back to the boat to Qualify and stand duty instead of being allowed to use our resources in the separation process.

The amount of obstacles I have had to overcome being an unvaccinated personnel along with the stress and impact this has had on my family and I has been monstrous. Trying to shoulder all these burdens so that my wife does not become so anxious during her pregnancy has taken its toll on me both physically and mentally. The Navy however will still not release my separation paperwork.

All I ask for is, in writing, to be relased by name from the class action lawsuit so that i may show the Navy and finally be allowed to finish my separation process and recieve my DD-214. Please help my family move on and get this poorly handled and tedious process over with.

If there is anything else you may need/require from me for this to be possible please let me know and I will expeditiously send it. Thank you in advance for your help and consideration.

Very Respectfully,

Jan M. Caballero-Fernandez

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